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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.: 10/574,738 **Confirmation No.:** 5476
Applicant: Takeo Eguchi
Filed: April 4, 2006
TC/A.U.: 2853
Examiner: Geoffrey S Mruk
Docket No.: 075834.00567
Customer No.: 33448

PETITION TO WITHDRAW HOLDING OF ABANDONMENT

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

S I R:

On June 3, 2010, the United States Patent Office mailed a Notice of Abandonment for the above-referenced United States patent application as a result of a purported failure to pay the Issue Fee due May 17, 2010. Applicant respectfully submits that the undersigned transmitted the issue fee payment in a timely manner and that the holding of abandonment is erroneous.

Specifically, the undersigned transmitted a timely issue fee payment which was actually received by the United States Patent Office via its automated facsimile communication system on May 17, 2010. Accordingly, Applicant requests that the abandoned status of this application be withdrawn and the application issue as a patent.

In support of this petition, Applicant has attached a copy of the Auto-Reply Facsimile transmission from the United States Patent Office dated May 17, 2010, indicating that two pages had been received at 3:52:44 PM (Eastern Daylight Time) and the image of the first

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Petition to Show Timely Filing dated June 10, 2010

page indicates that the transmission was for this application. A copy of the properly executed issue fee transmittal form which was the second page of the two page transmission is also attached.

Applicant respectfully submits that the documents confirm that the issue fee transmittal form was actually received within the requisite period for response and that the holding of abandonment should therefore be withdrawn. Applicant therefore requests that the United States Patent Office withdraw the abandoned status of this application and now process the issue fee payment from this application.

Respectfully submitted,

Date: June 10, 2010

(Reg. #37,607)

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